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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,239	11/15/2001	William Buresh	2000P09063 US01	2128
7590 06/14/2004			EXAMINER	
Siemens Corporation Intellectual Property Department 186 Wood Avenue South Iselin, NJ 08830			HANNE, SARA M	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/004,239	BURESH ET AL.	
	Examiner	Art Unit	
	Sara M Hanne	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/19/02

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

BA HUYNH
PRIMARY EXAMINER

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1, 2, 4 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Touma et al., US Patent 5809266.

As in Claim 1, Touma et al. teaches a method in a computer system comprising receiving instructions from the user to select a tabular format (Column 5, 26-38), in response to the selection, displaying to the user a menu of data selections which may be placed within portions of the tabular format (Figure 2A), and adjusting dimensions of portions of the tabular format to permit display of the data selections (Column 9, lines 58-62).

As in Claim 2, Touma et al. teaches the step of receiving instructions from the user via a manual pointing device (Figure 2B, ref. 261 and mouse 711).

As in Claim 4, Touma et al. teaches the step of displaying to the user a color selection menu listing possible background color choices for each selected portion of the tabular format (Column 9, line 18).

As in Claim 6, Touma et al. teaches A display specification method, comprising the steps of displaying an image set of predefined tables each having a plurality of cells (data model tools 214-222 of Figure 2A) selecting one of the predefined table, displaying the predefined table (Column 5, lines 29-38), displaying a data selection

menu for cells in the predefined table (Column 5, lines 1-29) selecting one data set from the data selection menu for a cell (ref. 234), and in response to the selection of step adjusting the dimensions of some cells to permit legible data display (Column 9, lines 58-62).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 9-13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Touma et al., US Patent 5809266, and further in view of Smith et al., US Patent 6188407.

As in Claim 3, Touma et al. teaches a user section of tabular format from a list of predefined formats, displaying a menu of data selections to be placed within portions of the tabular format, and adjusting dimensions of portions of the tabular format to permit display of the data selections (See rejection of Claims 1 and 6 *supra*). While Touma et al. teaches the table display and assigning of data to selected cells by a manual pointing device, they fail to show the user selecting a two waveforms from the menu to be displayed simultaneously within the first selected portion of the tabular format as recited in the claims. In the same field of the invention, Smith et al. teaches a selectable interface for displaying data similar to that of Touma et al. In addition, Smith

et al. further teaches the user selection of two waveforms from the menu to be displayed simultaneously within the first selected portion of the tabular format (Waveform field 24 of Figure 2 and corresponding text). It would have been obvious to one of ordinary skill in the art, having the teachings of Touma et al. and Smith et al. before him at the time the invention was made, to modify the selection of a predefined table, cell data assignment and cell dimensioning taught by Touma et al. to include the user selection of two waveforms to be displayed simultaneously within the first selected portion of the tabular format of Smith et al., in order to obtain display of two waveforms within one selected cell. One would have been motivated to make such a combination because a visual comparison of data within the same axes would have been obtained, as taught by Smith et al.

As in Claim 9, Touma et al. teaches a table display with multiple cells and assignment of data to the 2 cells by user selection by manipulation of a manual pointing device (See rejection of Claims 1 and 6 *supra* and linking). While Touma et al. teaches the table display and assigning of data to selected cells by a manual pointing device, they fail to show the streams of real time medical data as the information within the cells as recited in the claims. In the same field of the invention, Smith et al. teaches a selectable interface for displaying data similar to that of Touma et al. In addition, Smith et al. further teaches selection and display of real time medical data onscreen (Figure 2, ref. 24 and corresponding text). It would have been obvious to one of ordinary skill in the art, having the teachings of Touma et al. and Smith et al. before him at the time the invention was made, to modify the selection of a predefined table, cell data assignment

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and cell dimensioning taught by Touma et al. to include the display of real time medical data of Smith et al., in order to obtain a tabular interface for selection and display of real time medical data. One would have been motivated to make such a combination because a user-customized medical parameter tracking method would have been obtained, as taught by Smith et al.

As in Claim 10, Touma et al. teaches the step of displaying a display selection menu upon selecting a cell within the table (See Claim 1 rejection *supra*).

As in Claim 11, Touma et al. teaches the step of listing in association the display selection menu a choice of data and cell appearance submenus (See Claim 4 rejection *supra*).

As in Claim 12, Touma et al. teaches saving the displayed table, creating a second table having multiple cells; and inserting the saved table into a cell of the second table (See Figures 5a, b and corresponding text).

As in Claim 13, Touma et al. teaches a table display and customization as in Claims 10-12. While Touma et al. teaches the table display and assigning of data to selected cells by a manual pointing device, they fail to show the streams of real time medical data being inserted into the cells in response to an Internet connection as recited in the claims. In the same field of the invention, Smith et al. teaches a selectable interface for displaying data similar to that of Touma et al. In addition, Smith et al. further teaches detection of the connection and display of real time medical data onscreen when made available (See Claim 9 rejection *supra* and Column 4, line 51 et seq.). It would have been obvious to one of ordinary skill in the art, having the

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teachings of Touma et al. and Smith et al. before him at the time the invention was made, to modify the selection of a predefined table, cell data assignment and cell dimensioning taught by Touma et al. to include the detection and display of real time medical data upon connection of Smith et al., in order to obtain a tabular interface for detecting real time medical data and displaying it according to user specifications. One would have been motivated to make such a combination because a automatic detecting and display method for medical parameters would have been obtained, as taught by Smith et al.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Touma et al., US Patent 5809266, and further in view of Duane et al., US Patent 6243721.

Touma et al. teaches a user section of tabular format from a list of predefined formats, displaying a menu of data selections to be placed within portions of the tabular format, and adjusting dimensions of portions of the tabular format to permit display of the data selections (See rejection of Claims 1 and 6 *supra*). While Touma et al. teaches the selection of a predefined table, cell data assignment through a menu display and cell dimensioning, they fail to show the menu including a section for previous user selections saved for future use as recited in the claims. In the same field of the invention, Duane et al. teaches a tabular interface similar to that of Touma et al. In addition, Duane et al. further teaches the step of displaying to the user a file name selection menu displaying a region in which all previous user selections may be saved for future use (Figure 7 and corresponding text). It would have been obvious to one of

ordinary skill in the art, having the teachings of Touma et al. and Duane et al. before him at the time the invention was made, to modify the selection of a predefined table, cell data assignment through menus and cell dimensioning taught by Touma et al. to include the display of previous menu options of Duane et al., in order to obtain a menu of previously selected items as input data to a cell. One would have been motivated to make such a combination because quick reference for likely menu options would have been obtained, as taught by Duane et al.

6. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touma et al., US Patent 5809266, and further in view of Inaki et al., US Patent 5835916.

Touma et al. teaches a user section of tabular format from a list of predefined formats, displaying a menu of data selections to be placed within portions of the tabular format, and adjusting dimensions of portions of the tabular format to permit display of the data selections (See rejection of Claims 1 and 6 *supra*). While Touma et al. teaches the selection of a predefined table, cell data assignment and cell dimensioning, they fail to show the user selection and modification of cell and column dimensions as recited in the claims. In the same field of the invention, Inaki et al. teaches a tabular interface similar to that of Touma et al. In addition, Inaki et al. further teaches selecting the border of the cell with a manual pointer and moving it to a new position to define a new cell border location ("Resetting of Cell Size", Column 11, line 60 et seq.). Selecting the border of a column of more than one cell with a manual pointer and moving the indicator

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to a desired position to define to define a new column border location thereby redimensioning the cells within the column so as to abut the new column border location ("Resetting of Column Width of Table", Column 9, line 54 et seq.). It would have been obvious to one of ordinary skill in the art, having the teachings of Touma et al. and Inaki et al. before him at the time the invention was made, to modify the selection of a predefined table, cell data assignment and cell dimensioning taught by Touma et al. to include the cell and column resizing under control of a user's cursor of Inaki et al., in order to obtain a user controllable interface for displaying the contents of the cell data. One would have been motivated to make such a combination because a customizable interface for the display data would have been obtained, as taught by Inaki et al.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar medical monitoring systems and tabular customizable interfaces.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (703) 305-0703. The examiner can normally be reached on M-F 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh

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PRIMARY EXAMINER